

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

LLOYD WESLEY WEAR,
Plaintiff,
v.
SANDERS,
Defendant.

Case No. [16-cv-04510-HSG](#)
ORDER OF DISMISSAL

Plaintiff initiated this civil rights action under 42 U.S.C. § 1983 on August 10, 2016. Docket No. 1. At that time, Plaintiff was confined at San Francisco County Jail. *Id.* at 1. On September 15, 2016, this action was reassigned from Magistrate Judge Nathanael Cousins to the undersigned because Plaintiff had not consented to the jurisdiction of a magistrate judge. Docket No. 7. The Reassignment Order was mailed to Plaintiff on the same day. On October 3, 2016, the Court's September 15, 2016 Reassignment Order was returned as undeliverable with a notation that Plaintiff was no longer in custody. Docket No. 8.

Pursuant to Northern District Local Rule 3-11, a party proceeding *pro se* must promptly file a notice of change of address while an action is pending. *See* L.R. 3-11(a). The Court may, without prejudice, dismiss a complaint when: (1) mail directed to the *pro se* party by the Court has been returned to the Court as not deliverable, and (2) the Court fails to receive within sixty days of this return a written communication from the *pro se* party indicating a current address. *See* L.R. 3-11(b).


More than sixty days have passed since the mail addressed to Plaintiff was returned as undeliverable. The Court has not received a notice from Plaintiff of a new address. Accordingly, the instant civil rights action is **DISMISSED** without prejudice pursuant to Rule 3-11 of the

Northern District Local Rules.

The Clerk shall terminate any pending motions.

IT IS SO ORDERED.

Dated: 12/15/2016


HAYWOOD S. GILLIAM, JR.
United States District Judge

United States District Court
Northern District of California